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**RIGHTS OF A REFUGEE IN A COUNTRY OF ASYLUM: A CRITICAL EXAMINATION**

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**ABSTRACT**

*Human rights violation has been the major factor why refugees flee their country of nationality. Others leave their countries of origin for obvious reasons like searching for greener pastures, academic pursuit, etc. However, whatever may be the reason for their fleeing, the refugees are bestowed with inalienable rights based on the principles of universality, equality and non-discrimination as enshrined in the body of customary international law and other international and regional instruments that establish standards for refugee protection globally. This research work therefore examined the principal statute that governs refugee protection, the 1951 Convention and other humanitarian statutes that safeguard the principle of non-refoulement in the protection of refugees and other asylum-seekers, including children refugees. It was also the thrust of this work that the legal framework that seek to protect refugees in Nigeria as well as the rights of refugees be examined. One of the recommendations was that there should be an urgent need to identify the root causes of incidence of asylum seeking and refugee's status. These include: lack of adequate legislations and implementation to protect the lives and properties of citizens, unemployment, corruption.*

**KEYWORDS: Rights of a Refugee, Country of Asylum, Germany, Nigeria and United Nations**

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**Introduction**

From time immemorial, oppression, torture, inhuman and degrading treatment, ethnic, religious and political crises and other violations

of human rights have caused people to flee their homelands. For these reasons, people have been forced to seek asylum in other countries. In other situations, people have become foreigners even in their own country. Refugees and



internally displaced persons (IDPs) face grave dangers in their own countries and which dangers have forced them across international borders in search of protection. They are forced to flee their countries of origin, to seek asylum and to be granted legal protection (refugee status) in the country of refuge. The trauma of being uprooted from their homes and of becoming separated from family members adds to the terrifying experiences that many refugees undergo before and during their flight. Lack of language skills and unfamiliarity with new surroundings, coupled with fear and concern about events back home, create added burdens. At the very root of displacement lies the obvious problem of detachment and eviction from established environments thus making the refugees susceptible to economic, social and political hardship. Economically, the refugees lack the basic amenities of life having been cut from their employment. Often they are left with little or no means of livelihood and could hardly feed themselves talk more of their relatives. Even where asylum or refugee status is granted, they are still in lack as the resources at their disposal can hardly sustain them. This is so because in their new found environment, integration and amalgamation is difficult as the citizens of the host state are usually afraid or unable to accept the refugees or asylum seekers. Socially, refugees most times

lose contact with their relatives, friends and families. The causes of the displacement, in most cases, are abrupt and sudden so much so that the victims are left with little or no time to pick up property talk more of locating friends and family. These tear them away from their social life which they have over the years built through the act of nature and by choice. Politically, the refugee flees from their country of origin where they had and enjoyed political rights ranging from the right to vote and be voted for and the right to own moveable and immoveable property in the host state, etc. At this juncture it is pertinent to define key terms that relevant to this study.

### Definition

The definition of the term “refugee” is provided for in the Refugee Convention<sup>1</sup> which is the primary convention for the protection of refugees. In Article 1 A (2) thereof, it states that for the purposes of the present Convention the term ‘refugee’ shall apply to any person who:

***“As a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race,***

<sup>1</sup> The primary convention on refugees is known as and called Convention Relating to the Status of Refugees signed at Geneva on 28 July 1951. The Convention came into force on 22 April 1954, the ninetieth day following the day of deposit of the sixth instrument of ratification or accession, in accordance with article 43.



*religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”*

The 1951 Convention which is the springboard of refugee protection in the world described a person who can be referred to as refugee as any person who is outside his/her country of origin or habitual residence and is unable to return due to a well-founded fear of persecution on the basis of race, religion, nationality, political opinion or membership of a particular social group.

The Convention was originally restricted to people fleeing events in Europe before 1951.<sup>2</sup> But the 1967 Protocol removed these temporal and geographical limitations and provided the Convention with a global scope and an unlimited time frame. The OAU Convention<sup>3</sup> expands the definition of a refugee by

including additional grounds for protection, such as external aggression.

The definition of refugees under the Convention is generally seen as the minimum standard definition for the status of a person as a refugee, albeit, it has been greatly criticized.<sup>4</sup> Refugees are persons outside their countries of origin who are in need of international protection because of a serious threat to their life, physical integrity or freedom in their country of origin as a result of persecution, armed conflict, violence or serious public disorder.<sup>5</sup> However, it is worthy to note that the definition of Refugee in any country depends on the national laws, Constitutions and legislations of the said country on the issue.

The Nigerian Refugee Act, for instance, gives this a wider scope as it incorporates both the Geneva Convention and the OAU Refugee Conventions definitions. A refugee in Nigeria is a person who is forced to flee across borders on account of persecution. It accommodates both the

<sup>2</sup> See Article 1A (2) of the Convention Relating to the Status of Refugees; International Legal Framework, <https://www.newsdeeply.com/refugees/background/international-legal-framework> Accessed on 28th July, 2022

<sup>3</sup> See Articles 1 and 2 of the Convention

<sup>4</sup> I R Wolfrum, ‘The Max Planck Encyclopedia of Public International Law’ in A. A. Khan, ‘Can International Law Manage Refugee Crises? Oxford University Undergraduate Law Journal, p.57, [https://www.law.ox.ac.uk/sites/files/oxlaw/field/field\\_document/4.pdf](https://www.law.ox.ac.uk/sites/files/oxlaw/field/field_document/4.pdf). Accessed on 28<sup>th</sup> July, 2022

<sup>5</sup> The Refugee Concept Under International Law Global Compact for Safe, Orderly and Regular Migration (New York).



individual and the group influx. Internally displaced people on the other hand by the UNHCR are 'persons who have had to leave their homes for refugee - like reasons and are in refugee - like situation, but who remain within the border of their own country. They are fleeing from persecution, hostilities and imminent death from their immediate and natural surroundings to a place considered safe but within their country. Refugee, as the word is used in the Convention, is an asylum seeker whose application or subsequent appeal against initial refusal has been successful. This should be differentiated from a person who is just fleeing e.g. civil war or national disaster and not necessarily fearing persecution as provided in the Convention.

'Economic migrant' means a person who has left his or her own country and seeks by lawful or unlawful means to make a living for himself or herself (and family) in another country.

In fact, many asylum seekers are actually economic migrants who hope to secure entry into greener pastures. 'Asylum seeker' is different from refugee status as the former constitutes the institution for protection while the latter refers to one of the categories of individuals among. Alternatively, an asylum seeker can be seen as someone whose claim has not yet been finally decided by the country in which it has

been submitted. That is to say, asylum seekers are requesting for the rights to be recognized as refugees and accorded the legal protection. In this sense, it is safe to aver that not every asylum seeker will ultimately be recognized as a refugee, while every refugee is originally an asylum seeker.<sup>6</sup> to others who benefit from such protection although the two are always used interchangeably.

A refugee child in the Nigerian context is a person below the age of 18 years who qualifies as a refugee under Article I of the 1951 United Nations Convention, the 1967 Protocol Relating to the Status of Refugee and the 1969 Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa.<sup>7</sup>

### **Rights and Laws Protecting Refugees and Asylum Seekers in Nigeria**

Protection aims at ensuring the full and equal respect for the rights of all individuals regardless of age, gender, ethnic, social, religious or other background. It should be provided in accordance with the principle of humanity, neutrality and impartiality. A need for protection arises where such protection is lacking either as a matter

<sup>6</sup> <https://www.mygwork.com/en/my-g-news/the-important-difference-between-asylum-seekers-and-refugees-and-what-we-can-do-to-help>. Accessed on 27<sup>th</sup> July, 2022

<sup>7</sup> See section 20 of the National Commission for Refugees (Establishment, Etc.) Act, 1989



of law or of fact with the result that basic human rights are at risk.<sup>8</sup> Refugees enjoy protection under human rights, humanitarian and refugee laws both at the international and national levels some of which will be discussed hereinunder.

i. **Rights of Refugees Guaranteed Under International Law**

Under the law, States are primarily responsible for protecting the rights of their citizens. In customary international law, nationality provides the principal link between the individual and the law of nations. Conversely, a State is under no legal duty to protect a non-national within its territory except with the intervention of the international community through the instrumentality of multilateral treaties entered into by Nation States. When governments are unable or unwilling to provide protection to their citizens, people may face such serious threats that they are forced to leave their country and seek safety elsewhere. If this happens, another country has to step in to ensure that the refugees' basic rights are respected. This is known as 'international protection'. As a result of continuous crisis in their

countries of nationality, these refugees remain in their host countries without any hope of returning back to their home States. 15.9 million refugees were in protracted situations at the end of 2018.<sup>9</sup>

International refugee law is designed only to provide a back-up source of protection to seriously at-risk persons. Its purpose is not to displace the primary rule that individuals should look to their State of nationality for protection, but simply to provide a safety net in the event a State fails to meet its basic protective responsibilities.<sup>10</sup>

The substantive rights set forth in the major human rights treaties apply to all human beings including children. As is true for adults, the enjoyment of the rights envisaged in human rights treaties is not limited to persons who are nationals of States Parties to the treaties, but are to be enjoyed by all persons irrespective of their citizenship or residence status, for instance, migrant individuals.

The foremost human rights principles are contained in the Universal Declaration of Human Rights (UDHR) which in Articles 13(2) and 14(1) allows a citizen of a

<sup>8</sup> K Balarabe, 'Refugee Protection and Management in Nigeria', a paper presented at the National Judicial Institute on Wednesday, 23rd May, 2012 at FCT, Abuja, Nigeria. [https://www.academia.edu/11441831/REFUGEE\\_PROTECTION\\_AND\\_MANAGEMENT\\_IN\\_NIGERIA](https://www.academia.edu/11441831/REFUGEE_PROTECTION_AND_MANAGEMENT_IN_NIGERIA) Accessed on 28<sup>th</sup> July, 2022.

<sup>9</sup> <https://www.unhcr.org/globaltrends2018/>. Accessed on 28<sup>th</sup> July, 2022

<sup>10</sup> J. C. Hathaway, 'International Refugee Law: The Michigan Guidelines on the Internal Protection Alternative', <https://www.refworld.org/pdfid/3dca73274.pdf>. Accessed on 28<sup>th</sup> July, 2022



country, whom out of a well-founded fear of persecution, leaves his country of origin or nationality and seeks to enjoy in other countries asylum from persecution. A right of ingress and egress is, therefore, given to all persons including persons under international law who are suffering any form of persecution. The Declaration took special notice of the child and emphasized that children are entitled to special care and assistance.<sup>11</sup> In addition to the Declaration, International Covenant on Political and Civil Rights (ICCPR) provides an array of rights<sup>12</sup> to a refugee who has been granted the status in the host country to be enjoyed in equal measures with the citizens of the country. The Prime of these rights is the right to recognition, equal protection by the law and freedom from discrimination on grounds such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.<sup>13</sup> Article 24 (1) of the Covenant makes specific provision for the protection of the child from all forms of discriminatory acts.<sup>14</sup>

<sup>11</sup> Article 25(2)

<sup>12</sup> Right to life, liberty and security of person provided in Article 3; right to property, Art 17, among others.

<sup>13</sup> Articles 6, 7 and 2 of the Declaration; Articles 2(1), 16 and 26 of the ICCPR

<sup>14</sup> Article 4 (3) of the ICESCR also provides that special measures of protection and assistance should be taken on behalf of all children and

Socio-economic rights of refugees are also recognized by the International Covenant on Economic, Social and Cultural Rights (ICESCR). By Article 3 States, Parties to the Covenant undertake to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights set forth in the Covenant. The States Parties however, reserve the discretionary right to subject these rights to limitations through legislation for the sole purpose of promoting the general welfare in a democratic society<sup>15</sup>. Article 10 enjoins States Parties to accord the widest possible protection and assistance to the family, particularly for its establishment and while it is responsible for the care and education of dependent children. Their employment in work harmful to their morals or health or dangerous to life or likely to hamper their normal development should be punishable by law. States should also set age limits below which the paid employment of child labour should be prohibited and punishable by law<sup>16</sup>. The adoption of special measures to protect children both national and non-national children must be non-discriminatory. Thus, children, like adults, who are asylum-seekers and refugees may

young person's without any discrimination for reasons of parentage or other conditions.

<sup>15</sup> Article 4 ICESCR

<sup>16</sup> Human Rights and Refugee Protection' <https://www.refworld.org/pdfid/4669434c2.pdf>. Accessed on 28<sup>th</sup> July, 2022



invoke this provision when they are deprived of, or denied access to, adequate food, water, housing, clothing, health care, and education.<sup>17</sup>

In particular respect to child refugees, the United Nations Convention on the Rights of the Child (CRC), is the treaty that guarantees the child specially recognized rights. The CRC clearly identifies refugee children<sup>18</sup> and contains articles which comprehensively detail the rights of all children to 'full and harmonious development'. These details pertain to refugee children in at least five areas as follows: rights to personal life and development<sup>19</sup>; normal family life;<sup>20</sup> health and well-being;<sup>21</sup> safety and protection;<sup>22</sup> and participation in the community.

Articles 3 and 22 of the CRC form the feature as fundamental cornerstones to a child rights-framework to the Refugee Convention. Article 22 is the only provision in an international human rights treaty which explicitly refers to child refugee protection. 'It provides that special protection shall be granted to a refugee child or to a child seeking refugee status. It is the State's obligation to cooperate with competent organizations that provide such

protection and assistance.' Article 3 gives the child the right to have his best interests assessed and taken into account as a primary consideration in all actions or decisions that concern him. The principle of the 'best interest of the child' codified in Article 3 and further referred to in other provisions of the Convention on the Right of the Child must underpin all measures and decisions taken in relation to refugee and other displaced children. Goodwin-Gill has long argued that the CRC is critical in determining whether a state owes a child international protection.<sup>23</sup> Prior to the CRC, international instruments approached the child as the recipient of care and protection. However, the CRC treats the child as a rights-bearer, rather than just an object of protection. Indeed, children's rights protected by the CRC cannot be derogated from.

Certain refugee laws have been put in place to specifically cater for the needs of asylum seekers and refugees, the first of it being the 1951 Convention relating to the Status of Refugees. As several academics have commented, the 1951 Refugee Convention provides no special protection measures for children<sup>24</sup> and

<sup>17</sup> *Ibid.*

<sup>18</sup> *Baker v. Canada (Minister of Citizenship and Immigration)*, 1999 Can LII 699 (SCC).

<sup>19</sup> Articles 6, 7, 8, 14, 16, 27, 29, 37, 39, and 40

<sup>20</sup> See articles 7, 16, 27, 18, 9, 10, 20 and 21.

<sup>21</sup> See articles 24, 26, 27, 39, 28, 31 and 32

<sup>22</sup> See articles 2, 11, 19, 34, 35, , 37, 38 and 40

<sup>23</sup> G.S. Goodwin-Gill, 'Unaccompanied Refugee Minors: The Role and Place of International Law in the Pursuit of Durable Solutions' (1995) 3 *International Journal of Child Rights*, p. 405

<sup>24</sup> Except in respect of the right of parents to choose the religious education of their



there is no reference to their best interests. This omission is particularly problematic because it ignores the specific needs of children and exposes vulnerable children to the risk of child-specific forms of persecution. Despite the fact that the Refugee Convention was undoubtedly a product of its time and values<sup>25</sup>, the omission is surprising given that the need for special care and protection for children was first recognized by the League of Nations as far back as 1924 in the Geneva Declaration of the Rights of the Child, which provided that the child must be 'the first to receive relief in times of distress'.<sup>26</sup> Article 3 of the Convention is centered on non-discriminatory application of the protection granted under the Convention and guarantees equal treatment of refugees with nationals, the minimum standard of which is national treatment.

Article 33 contains the cardinal principle of non-refoulement in refugee protection. By this principle, except on certain grounds (such as national security) and in accordance with due process, expulsion or return of a lawful

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children, under Article 4 and education, under Article 17

<sup>25</sup> J C Hathaway, 'The Evolution of Refugee Status in International Law: 1920-1950,' (1984), 33 *International and Comparative Law Quarterly*, 348

<sup>26</sup> E D Pask, 'Unaccompanied Refugee and Displaced Children: Jurisdiction, Decision-Making and Representation' (1989), *International Journal of Refugee Law*, 1(2), 199

refugee child to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion is prohibited. Similar protection is extended to unlawful refugee children subject to necessary restrictions<sup>27</sup> in so far as they present themselves without delay to the authorities and show good cause for their illegal entry or presence in the country of residence.<sup>28</sup> A refugee child shall also have free access to the courts of law on the territory of all Contracting States.

At the regional levels, treaties have been negotiated and adopted by Nigeria which in addition to the multilateral instruments, provide an avalanche of rights to be enjoyed by persons within the regions. Of specific importance here are the 1969 OAU Convention African Charter on Human and Peoples Rights and the African Charter on the Rights and Welfare of the Child. The OAU Convention and African Charter on Human and Peoples Rights like the multilateral treaties, guarantee every individual the right to leave any country including his own, and to seek and

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<sup>27</sup> Such restrictions shall only be applied until their status in the country is regularized or they obtain admission into another country. The Contracting States shall allow such refugees a reasonable period and all the necessary facilities to obtain admission into another country.

<sup>28</sup> Article 31





obtain asylum in other countries in accordance with laws of those countries and international conventions. The principle of non-refoulement is recognized by the Convention and Charter. Thus, mass expulsion of non-nationals on grounds of nationality, racism, ethnicity and religion is prohibited. A non-national legally admitted in a territory of a State Party to the Charter, may only be expelled from it by virtue of a decision taken in accordance with the law.<sup>29</sup> Refugees' right to their economic, social and cultural development with due regard to their freedom and identity and in the equal enjoyment of the common heritage of mankind is also guaranteed.<sup>30</sup> The African Charter on the Rights and Welfare of the Child (ACRWC) which central focus is on child rights, obliges States Parties to take specific protective measures for refugees. By Article 23, States shall ensure that refugee children receive appropriate protection and humanitarian assistance. Children who are separated from their parents should get special protection and should be provided with alternative family care. States should also take all possible steps to trace and re-unite children with parents.<sup>31</sup> No child should be separated from his or her parents against his or her will, except when

authorities believe this would be in the child's best interest.<sup>32</sup> Parents or guardians responsible for the child should always act in the best interest of the child. Enjoyment of the rights under this Charter shall be to all children regardless of his or her race, ethnic group, colour, sex, language, religion, political or other opinion, national and social origin, fortune, birth or other status.<sup>33</sup>

One of the greatest challenges with the international legal framework for refugee protection is their non-binding nature on State Parties. Consequently, domestic laws become inevitable.

### Domestic Legal Framework

In addition to adoption of the international instruments on refugee protection, Nigeria as a nation has enacted laws to cater for the needs of refugees. The first of these laws is the National Commission for Refugees (Establishment, Etc.) Act Cap N21 Laws of the Federation 2004. The Act defines a refugee and states criteria for disqualification from the grant and cessation of refugee status<sup>34</sup>. The non-refoulement principle was duly recognized under the Act.<sup>35</sup> The Act incorporated rights and duties of refugees enshrined in the 1951

<sup>29</sup> See Article 12 of the ACHPR

<sup>30</sup> Article 22 of ACHPR

<sup>31</sup> See Article 25 of the ACRWC

<sup>32</sup> Article 19 of the ACRWC

<sup>33</sup> Article 3 of the ACRWC

<sup>34</sup> Section 20 of the NCRE Act

<sup>35</sup> Section 1 of the NCRE Act



Convention, its 1967 Protocol, the 1969 OAU Convention and any other law in force in Nigeria.<sup>36</sup> It is submitted that the phrase any other law in force in Nigeria is too generic to be implemented. Whatever laws envisaged by the Act ought to have been specifically listed out as it is applicable in other countries, example, South Africa.

The National Commission for Refugees was established to adopt procedures for the purposes of facilitating entry and residence in Nigeria of refugee children and members of their families; seek co-operation with non- governmental organizations on matters relating to refugees; give relief assistance to refugees while they are awaiting the final decision on their application; and assist in seeking employment or education for refugees and members of their families.<sup>37</sup> Essentially, the Commission was created with a view to protecting and safeguarding the interests of refugees in Nigeria.

By virtue of section 3 (1)14 of the NCRE Act, the Commission is to operate under the supervision of the Secretary to the Federal Government. The Commission shall be constituted by a Chairman who shall be appointed by the President, a representative of the Secretary to the Federal Government as Vice Chairman, the Federal Commissioner for Refugees

or his representative, the Permanent Secretary of the Ministry of Foreign Affairs or his representative, the Permanent Secretary of the Ministry of Internal Affairs or his representative and the representative of the United Nations High Commissioner for Refugees in Nigeria as observer to be invited by the Commission from time to time to the meetings of the Commission where the matters to be deliberated upon have international dimensions.

Other important provisions of the Act are: The Act prohibits expulsion or return of refugees. It stipulates that a refugee in Nigeria shall not be expelled, extradited or returned in any manner whatsoever to the frontiers of any territory where his life or freedom will be threatened on account of his race, religion, nationality and so on, unless the refugee himself or herself is a danger to the security of Nigeria, or is convicted of a serious crime as stipulated by law. This protection exists whether the refugee entered Nigeria legally or illegally. The refugees are not only granted residency in Nigeria, together with their families, they also have identity cards and are also subject to all laws in force within Nigeria. Every refugee and members of his or her family lawfully staying in Nigeria shall be issued with the United Nations Travel Document in accordance with Article 28 of the 1951 United Nations Refugees

<sup>36</sup> Section 15 of the NCRE Act

<sup>37</sup> Section 18 of the NCRE Act



Convention and Article VI of the OAU convention 1969 Governing the Specific Aspect of Refugees' Problems in Africa. The family members of the refugee also benefit from the same treatment in S. 1 (3) of the Act (no expulsion). They are also permitted to enter and remain in Nigeria as long as the refugee concerned is permitted to remain in Nigeria under the Act. Refugees are also subject to Rights and Duties. These are prescribed by the convention and its protocol, and the OAU conventions set out in the first, second and third schedules to the Act. Of course, the law also provides for withdrawal of Refugee Status, if at any time, the Federal Commissioner considers that there are reasonable grounds for believing that a person who has been granted a refugee status for the purposes of this Act should not have been so granted, or has ceased to be a refugee. The Eligibility Committee is mandated to deal with this issue. Notice of the withdrawal is given and the refugee has a right of appeal in such circumstance.

The prevailing atmosphere of insecurity, hostilities and other man-made situations have made it imminent that many people and groups live in refugee-like conditions, but within the boundaries of Nigeria. These are properly called Internally Displaced Persons and the National Emergency Management Agency (NEMA) is saddled

with this responsibility of coordinating and protecting the interest of these ones.

### Conclusion

From the exposition, it can be gleaned if one is in a country where he has undergone persecution, or he has a well-founded fear of being persecuted in his country of origin in the nearest future, he may decide to seek refugee protection from another country. Most Nigerians and indeed Africans who seek refugee status and asylum do so because of a number of reasons. Such reasons include but not limited to the following: Civil wars, ethnic conflict, frustration resulting from unworkable systems in their countries of origin, political turbulence, hunger and poverty, terrorist attacks, religious and ethnic cleansing. This is made possible by the international recognition of one of the inalienable globally rights of a human being- right to freedom of movement. At the regional level, the right to seek asylum is guaranteed in Article 12(1) and (3) of African Charter on Human and People's Rights and Article 12 of American Convention on Human Rights.<sup>38</sup>

<sup>38</sup> See Article 26 of the 1951 Convention which is to the effect that States should afford refugees the right to choose their place of residence within the territory and to move freely within the State. Article 28 also mandates States to issue refugees with travel documents permitting them to travel outside the State.



## Recommendations

1. It is hereby recommended that there should be an urgent need to identify the root causes of incidence of asylum seeking and refugees' status. These include: lack of adequate legislations and implementation to protect the lives and properties of citizens, unemployment, corruption, *etc.*
2. Moreso, government at all levels should be accountable. The issue of accountability at all levels will take care of the ailing economy, unemployment and frustrations that citizens are facing especially in under-developed climes.
3. Corruption, which has been at its peak in almost every economy, should be checked by ensuring that there is an absolute separation of powers among the arms of government wherein each arm would be a 'watch dog' to another. That way, economic recession, poverty and hunger will be eliminated as these are not considered in granting asylum in the western countries. For instance, many Nigerians are being deported from Germany because they were refused asylum. It is said that in 2018 alone, over 12000 Nigerian asylum seekers would likely be deported from Germany. They do not consider Nigeria to be a war ravaged country. The strict criteria are aimed at people fleeing war or persecution, not those fleeing poverty and/or unemployment.
4. While it is true that there is a legal framework to protect refugees and asylum seekers, this should be boldly encapsulated in our criminal justice system and stiffer penalties be spelt out for perpetrators of crimes that are likely to make people seek asylum to other countries. The provisions of Chapter IV of the Constitution of Nigeria, for instance, which centers on the fundamental human rights should be strictly upheld.
5. The Human Rights of citizens, refugees, Internally Displaced Persons (IDPs) and other migrants should be protected to the letter. This should also be reflected in government policies and legislation, hence the call for the mainstreaming of refugees and internally displaced people's interest in all government actions and programmes.
6. Finally, instead of seeking to be ready to combat displacement caused by strife, wars, ethnic hostilities, *etc.*, countries should seek the early warning signs of such disasters and stem them from the bud. There should be precautionary measures to ensure that the rate of asylum seeking is drastically reduced.

